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By: Barbara Bryant

Barbara Bryant

Date: April 15, 2004

Patent

Attorney's Docket No. P-097-US2

Customer No. 27038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)
	)
Jason P. CHINN et al.	) Group Art Unit: Not yet assigned
	)
Application No.: Not yet assigned	) Examiner: Not yet assigned
	)
Filed: on Even Date Herewith	)
	)
For: SODIUM CHANNEL	)
MODULATORS	)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 CFR §1.56, Applicants hereby submit the following information in conformance with CFR §§1.97 and 1.98. Enclosed herewith is a PTO/SB/08a form that lists the documents being submitted for consideration by the Examiner. Copies of the cited documents are also enclosed herewith, except as noted below.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)).

Copies of cited U.S. patents and published patent applications are not being provided with this Information Disclosure Statement, since the USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit such documents for U.S. national patent applications filed after June 30, 2003 (see 1276 *Off. Gaz. Pat. Off.* 55, Aug. 5, 2003). Copies of all other cited documents are enclosed herewith.

Pursuant to 37 C.F.R. §1.98(a)(3)(i), a concise explanation of the relevance of the following non-English language documents are provided:

- (1) BE 613 143A (in the French language listed as B1 on the accompanying Form PTO/SB/08a) discloses dialkyl bis (p-amino-alkoxy-halo-substituted-phenyl) methanes.
- (2) NL 6600012 (in the Dutch language listed as B2 on the accompanying Form PTO/SB/08a) discloses diethyl-[2-(4-{2,2,2-trichloro-1-[4-(2-diethylaminoethoxy)phenyl]-ethyl}phenoxy)ethyl]-amine and dimethyl-[3-(4-{2,2,2-trichloro-1-[4-(3-dimethylamino-propoxy)phenyl]ethyl}phenoxy)propyl]amine.

Consideration of the listed documents is respectfully requested. Additionally, the Examiner is respectfully requested to return an initialed copy of the enclosed PTO/SB/08a form to Applicants with the next official action in this application.

This Information Disclosure Statement is being filed before the mailing date of a first official action on the merits for this application and therefore, no fee or certification is required under 37 CFR §1.97(b). In the event that an Office Action is mailed prior to receipt of this paper, the Commissioner is hereby authorized to charge the requisite fees under 37 CFR §1.97(c) for submission of this paper to Deposit Account No. 50-0344.

Should there be any questions concerning the cited documents, the Examiner is invited to telephone Roberta Saxon, an agent of record for Applicants at (650) 808-3764, or the undersigned agent at (650) 808-6144.

Respectfully submitted,  
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	Not yet assigned
				Filing Date	Even Date Herewith
				First Named Inventor	Jason P. CHINN
				Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
Sheet	1	of	1	Attorney Docket Number	P-097-US2

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	A1	US-3,197,434	07-27-1965	Preston et al.	
	A2	US-3,340,146	09-05-1967	Werner	
	A3	US-3,598,866	08-10-1971	Nowak et al.	
	A4	US-4,008,265	02-15-1977	Suzuki et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		
	B1	BE 613 143 (in French language)	07-26-1962	CIBA	
	B2	NL 6600012 (in Dutch language)	07-05-1966	CIBA	

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	C1	ANDO et al., "Aromatic polyether polyureas", Chemical Abstract Services, Accession No.: 67:117575, XP002190008 (1963)			
	C2	ANDO et al., "Synthesis of polyamides by cyanoethylation of bisphenols. IX. Properties of some polyamides with p-phenyleneoxy groups in the chain", Chemical Abstract Services, Accession No.: 67:22785, XP002190009 (1966)			
	C3	CARISSIMI et al., "Preparation and pharmacology of ethylalkylamine ethers derived from hydroxy and dihydroxydiphenyl sulfones and their quaternary salts", Chemical Abstract Services, Accession No.: CA53:8142c, XP002190011 (1954)			
	C4	GILBERT et al., "Study of the effects of basic di- and tri-phenyl derivatives on malignant cell proliferations: an example of the application of correspondence factor analysis to structure-activity relationships (SAR)", Chemical Abstract Services, Accession No.: 122:23229, XP002190010 (1994)			

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.